
**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ERICA S. BERMAN,

Plaintiff,

vs.

THE COUNTY OF LAKE,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

No: 21 CV 6517

JURY DEMAND

**COMPLAINT
AS AND FOR A FIRST CAUSE OF ACTION
(DISCRIMINATION UNDER THE AMERICANS WITH DISABILITIES ACT)**

NATURE OF ACTION

1. This is an action under Title I of the Americans with Disabilities Act of 1990 and Title I of the Civil Rights Act of 1990 and the Illinois Human Rights Act, to correct unlawful employment practices on the basis of disability (handicap) and to make whole **ERICA S. BERMAN** ("BERMAN"). Defendant, **THE COUNTY OF LAKE**, ("LAKE COUNTY") discriminated against BERMAN, a qualified individual with a handicap, because of her disability.

JURISDICTION AND VENUE

2. Jurisdiction of this Court is invoked pursuant to 28 U.S.C.A. & & 451, 1331, 1337, 1343, and 1345. This action is authorized and instituted pursuant to Section 107(a) of the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C.A. § 12117(a), which incorporates by reference Sections 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C.A. § § 2000e-5 (f)(1) and (3). The employment practices

hereafter alleged to be unlawful were and are now being committed in the Northern District of Illinois, Eastern Division.

PARTIES

4. BERMAN is an adult female with a disability (Physical Impairment) and is a resident of Libertyville, State of Illinois.

5. At all times relevant, LAKE COUNTY, has been and is a body-politic organized under the Illinois, and has continuously had more than five hundred (500) employees.

6. At all times material herein and hereinafter mentioned LAKE COUNTY has engaged in and employed its employees in commerce and in services for commerce between points in Illinois. LAKE COUNTY was, and is, and has been, at all times material herein, engaged in commerce within the meaning of the ADA.

7. LAKE COUNTY is an employer within the meaning of the ADA.

STATEMENT OF CLAIMS

8. BERMAN was an employee of LAKE COUNTY his most recent position was performing the duties as a site HR Project Manager and believes that she was subjected to a hostile work environment based upon her disability and requests for accommodations.

9. Despite LAKE COUNTY listing itself as an equal employment company and having a policy against discrimination to the disabled, LAKE COUNTY intentionally discriminated against BERMAN by subjecting BERMAN to different terms and conditions of employment because of her handicap and terminated, because of her handicap or disability, violates her rights under the American Disability Act.

10. BERMAN has a Physical disability (handicap) in that she has a Physical Impairment causing her to request accommodations.

11. LAKE COUNTY's acts and omissions to act violate applicable provisions of the American Disability Act.

12. The discriminatory action of LAKE COUNTY as set forth above has caused BERMAN to be harmed in that BERMAN had suffered in her position, her work environment had become impaired.

13. As a further proximate result of LAKE COUNTY's unlawful and intentional discriminatory actions against BERMAN, as alleged above, BERMAN has been harmed in that she has suffered lost income, emotional pain, humiliation, mental anguish, loss of enjoyment of life, and emotional distress. As a result of such discrimination and consequent harm, BERMAN has suffered such damages in an amount according to proof.

14. BERMAN has no adequate remedy at law to secure relief. If this court does not enter an order for LAKE COUNTY to accommodate her, BERMAN will be irreparably injured.

15. BERMAN filed a discrimination charge against LAKE COUNTY with the Equal Employment Opportunity Commission (Exhibit "A") and thereafter was sent a "Right to Sue letter" which is dated September 8, 2021 (See Exhibit "B"). This charge has been timely filed with the Northern District of Illinois.

PRAYER FOR RELIEF

WHEREFORE, the plaintiff prays that the court orders such relief as is necessary to make the plaintiff whole, including:

1. Injunctive Relief, including injunctive relief for an accommodation and any loss

of pay loss of pay and benefits;

2. Punitive damages due to the defendant's willful conduct;
3. Attorneys' fees and costs incurred in this action;
4. Such other relief as is just and equitable;
5. The plaintiff requests a jury trial of this action.

ERICA S. BERMAN
BY: /s/ Michael T. Smith
Michael T. Smith
Trial Attorney

Michael T. Smith #6180407IL
10 Martingale Road/Suite 400
Schaumburg, Illinois 60173
(847) 895-0626